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Total Number of Pages in This Submission

18

Application Number	10/829,137
Filing Date	April 21, 2004
First Named Inventor	Gevas et al.
Art Unit	1646
Examiner Name	unassigned
Attorney Docket Number	ACG2BUSA

ENCLOSURES (Check all that apply)

- | | | |
|---|--|--|
| <input type="checkbox"/> Fee Transmittal Form
<input type="checkbox"/> Fee Attached
<input type="checkbox"/> Amendment/Reply
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<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Extension of Time Request
<input type="checkbox"/> Express Abandonment Request
<input type="checkbox"/> Information Disclosure Statement

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under 37 CFR 1.52 or 1.53 | <input checked="" type="checkbox"/> Drawing(s) (substitute)
<input type="checkbox"/> Licensing-related Papers
<input type="checkbox"/> Petition
<input type="checkbox"/> Petition to Convert to a
Provisional Application
<input type="checkbox"/> Power of Attorney, Revocation
Change of Correspondence Address
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<input type="checkbox"/> CD, Number of CD(s) _____
<input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Appeal Communication to Board
of Appeals and Interferences
<input type="checkbox"/> Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Status Letter
<input checked="" type="checkbox"/> Other Enclosure(s) (please identify
below):
1 pp. copy of Notice to File Corrected
Application Papers
2 pp. copy of PCT Response to Invitation to
Correct Defects |
|---|--|--|

Remarks

Customer No. 00270

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name
HOWSON AND HOWSON

Signature
Mary E. Bak

Printed name
Mary E. Bak

Date
October 6, 2004

Reg. No. 31,215

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature
Kelly A. Karstaedt

Typed or printed name
Kelly A. Karstaedt

Date
October 6, 2004

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ACG2BUSA

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. : 10/829,137 Confirmation No.: 6164
Applicant : Gevas et al.
Filed : April 21, 2004
TC/A.U. : 1646
Examiner : unassigned
Customer No. : 00270
Title : PREVENTION AND TREATMENT OF HYPERGASTRINEMIA

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE CORRECTED APPLICATION PAPERS

Sir:

This paper is in timely response to the Notice to File Corrected Application Papers dated August 17, 2004.

Applicants respectfully assert that the drawings provided with the application as filed on April 21, 2004 were supplied on A4 paper, which is flexible, strong, white, smooth, non-shiny and durable. Applicants also submit that data contained in the as-filed drawings are clear to one of skill in the art. However, in an effort to provide drawings in

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Signature Kelly A. Karstaedt
Name Kelly A. Karstaedt

a more electronically reproducible form, submitted herewith are:

- (i) Twelve (12) pages of substitute Formal Drawings on A4 paper; and
- (ii) a one (1) page copy of the Notice to File Correct Application Papers.

For the Examiner's information, the twelve pages of Formal Drawings attached herewith are not identical to the drawings which were originally filed with this application on April 21, 2004. The enclosed drawings differ due to slight variations in the fonts utilized and position of the drawings, but do not add new matter to this application. Further, the enclosed drawings were filed in the corresponding PCT application on August 5, 1999 in response to the requirement to submit formal drawings. Enclosed as Exhibit A is a two-page copy of the as-filed Response. However, the PCT did not publish these formal drawings with the application. It is Applicants' position however that the enclosed drawings are more clear and electronically reproducible for publication.

The Director is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayment in any fees to our Deposit Account Number 08-3040.

Respectfully submitted,
HOWSON AND HOWSON
Attorneys for Applicants

By Mary E. Bak
Mary E. Bak
Registration No. 31,215
Spring House Corporate
Center, Box 457
Spring House, PA 19477
Telephone: (215) 540-9200
Telefacsimile: (215) 540-5818



Exhibit A

IN THE UNITED STATES PCT RECEIVING OFFICE (RO/US)

International Application No.)
PCT/US99/10751)
Applicant:)
Aphton Corporation et al)
International Filing Date:)
14 May 1999)
For: PREVENTION AND TREATMENT)
OF HYPERGASTRINEMIA)

Assistant Commissioner for Patents
Box PCT
Washington, DC 20231

Response to Invitation to Correct Defects

Sir:

In response to the 11 June 1999 Invitation to Correct, issued in the above-identified application, applicants provide the following items:

- (1) Seven (7) sheets of new drawings.
- (2) Appointment of Agent form executed by Philip C. Gevas for applicant, Aphton Corporation.
- (3) Appointment of Agent form executed by Philip C. Gevas, as applicant/inventor.
- (4) Appointment of Agent form executed by Stephen Grimes, as applicant/inventor.
- (5) Appointment of Agent form executed by Stephen Karr, as applicant/inventor.
- (6) Appointment of Agent form executed by Dov Michaeli, as applicant/inventor.
- (7) Appointment of Agent form executed by Susan Watson, as applicant/inventor.

CERTIFICATE UNDER 37 CFR 1.10

I hereby certify that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" Service under 37 CFR 1.10 on the date indicated below and is addressed to: Assistant Commissioner for Patents, Washington, DC 20231.

Signature C. P. [Signature]

Date 05 AUGUST 1999

Also enclosed is the sequence listing on diskette and hard copy and a statement pursuant to the sequence listing. The sequence listing was not provided with the original application and is provided now, in accordance with Rule 13ter.

Applicants believe that these items fully comply with the Invitation and all defects noted in the Invitation have been corrected.

Respectfully submitted,

HOWSON & HOWSON
Attorneys for Applicants

By Mary E. Bak
Mary E. Bak
Reg. No. 31,215
Spring House Corporate Center
P.O. Box 457
Spring House, PA 19477
(215) 540-9200



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
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 Alexandria, Virginia 22313-1450
 www.uspto.gov

IFW

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/829,137	04/21/2004	Philip C. Gevas	ACG2BUSA

CONFIRMATION NO. 6164

00270
 HOWSON AND HOWSON
 ONE SPRING HOUSE CORPORATION CENTER
 BOX 457
 321 NORRISTOWN ROAD
 SPRING HOUSE, PA 19477

FORMALITIES LETTER



OC000000013560175

Date Mailed: 08/17/2004

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Filing Date Granted

An application number and filing date have been accorded to this application. The application is informal since it does not comply with the regulations for the reason(s) indicated below. Applicant is given TWO MONTHS from the date of this Notice within which to correct the informalities indicated below. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
 - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 10.

Replies should be mailed to: Mail Stop Missing Parts
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 Alexandria VA 22313-1450

*A copy of this notice **MUST** be returned with the reply.*

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 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE